

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI**FILED**Samuel Ingram

Plaintiff

SEP 22 2009

DAVID CREWS, CLERK
By _____
Deputy

Lee County Circuit Court
Lee County Adult Jail
Lee County Sheriff Dept

Defendant

CASE NO. 1:09cv241-BD

PRISONER'S COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT

1. The Plaintiff's full legal name, the name under which the Plaintiff was sentenced, the Plaintiff's inmate identification number, the Plaintiff's mailing address, and the Plaintiff's place of confinement are as follows:

A. Legal name:

Samuel Ingram

B. Name under which sentenced:

428-88-1213

C. Inmate identification number:

Tuvelo Lee County Adult Jail

D. Plaintiff's mailing address (street or post office box number, city, state, ZIP):

510 North Commerce St

E. Place of confinement:

Tuvelo MS. 38804

2. Plaintiff names the following person(s) as the Defendant(s) in this civil action:

Name:

Jim H. Johnson

Title (Superintendent, Sheriff, etc.):

Lee County Sheriff

Defendant's mailing address (street or post office box number, city, state, ZIP)

510 North Commerce stTuvelo MS. 38804

Name:

Joyce R. Loftin

Title (Superintendent, Sheriff, etc.):

Circuit Clerk

Defendant's mailing address (street or post office box number, city, state, ZIP)

P.O Box 762 Jefferson st
Tupelo MS, 38804

Name:

District Attorney

Title (Superintendent, Sheriff, etc.):

John R. Young

Defendant's mailing address (street or post office box number, city, state, ZIP)

P.O Box 7237
Tupelo MS, 38804

Name:

Tony Carleton

Title (Superintendent, Sheriff, etc.):

Lee County Adult Jail Commissioner

Defendant's mailing address (street or post office box number, city, state, ZIP)

510 North Commerce St
Tupelo MS, 38804

(If additional Defendants are named, provide on separates sheets of paper the complete name, title, and address information for each. Clearly label each additional sheet as being a continuation of Question 2).

3. Have you commenced other lawsuits in any other court, state or federal, dealing with or pertaining to the same facts that you allege in this lawsuit or otherwise relating to your imprisonment? Yes No
4. If you checked "Yes" in Question 3, describe each lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuit(s) on separate sheets of paper; clearly label each additional sheet as being a continuation of Question 4.

A. Parties to the lawsuit:

Plaintiff(s): _____

Defendant(s): _____

B. Court: _____ C. Docket No.: _____

D. Judge's Name: _____ E. Date suit filed: _____

F. Date decided: _____ G. Result (affirmed, reversed, etc.): _____

5. Is there a prisoner grievance procedure or system in the place of your confinement? Yes No

6. If "Yes," did you present to the grievance system the **same facts and issues** you allege in this complaint? (See question 9, below). Yes No

7. If you checked "Yes" in Question 6, answer the following questions:

- A. Does the grievance system place a limit on the time within which a grievance must be presented? Yes No
- B. If you answered "Yes," did you file or present your grievance within the time limit allowed? Yes No
- C. The court must find that you exhausted the prison's grievance system and administrative remedies before it can consider this Complaint. State everything you did to present your grievance(s). Be specific. Include the date(s) on which you filed or presented your grievances to prison officers; identify the officer(s). State your claim(s) exactly.

Lee County Sheriff Department On 10-2-08 I Samuel Ingram was arrested and charged with grand Larceny. The value of alleged property Taken was valued at \$250.00 this property wasn't found at my place of residence nor was it found in my possession nor was there any witness that stated that they witnessed me at the Scene of the crime Nor was I mention as a suspect or description of me in the official police report. the Investigator assigned to this case waited 72 hours before investigating the alleged Theft

- D. State specifically what official response your grievance received. If the prison provides an administrative review of the decision on your grievance, state whether you applied for that review and what the result was.

Case then came and informed me that I had been identified from a line up which I know was influenced by my past back ground with Lee County. since this time I have been incarcerated for the past 11 months without an Indictment or any other motion brought against me. I wrote Circuit clerk Joyce R. Loftin as well as District Attorney John R. Young requesting a speedy Trial which is a right guaranteed me in the Constitution but I was denied This "right" by both parties. therefore I'm writing you to request that my right to a speedy Trial be guaranteed

Special Note: Attach to this Complaint as exhibits complete copies of all requests you made for administrative relief through the grievance system, all responses to your requests or grievances, all administrative appeals you made, all responses to your appeals, and all receipts for documents that you have.

8. If you checked "No" in Question 6, explain why you did not use the grievance procedures or system:

by the Constitution.

9. Write below, as briefly as possible, the facts of your case. Describe how each Defendant is involved. Write the names of all other persons involved. Include dates and precise places of events. Do not give any legal argument or cite any legal authority. If you have more than one claim to present, number each claim in a separate paragraph. Attach additional pages only if necessary; label attached pages as being continuations of Question 9.

Jim H. Johnson Lee county Sheriff Dept
Arrested plaintiff 10-2-08 510 N Commerce
St Tupelo MS. 38804
Joyce R. Loftin Lee county Circuit court
denide fast and Speedy trial P.O Box
762 Jefferson St Tupelo MS, 38804
John R. Young District Attorney denide
fast and Speedy trial P.O Box 7237
Tupelo MS, 38804
Tony Carlton Commissioner of correction
Lee County adult jail 510 North commerce
St Tupelo MS, 38804 pain suffering,
monetary Damage's

10. State briefly exactly what you want the court to do for you. Do not make legal arguments. Do not cite legal authority.

relieving the stress I'm under due to false allegations this in turn will allow me to return into society and continue to be a productive member. I sincerely and humbly pray that court grant with expedience to make a diligent and good faith effort. and monitory damage's

This Complaint was executed at (location): _____

and I declare or certify or verify or state under penalty of perjury that this Complaint is true and correct.

Date: 8/24/09

Samuel Ingram

Plaintiff's Signature

LEF County Adult Jail Monetary Damage's

On 8/16/09, I was in my cell when the door opened, for some reason pod Tower opened it so I went to the intercom and tried to find out what was happening I press the button trying to speak to the tower but did not get any response, I was not aware that a lock down inmate a Casey Smith was hiding behind the shower wall, before I could return to my cell this inmate rushed at me and punched me in the jaw the officer Goree did not try and stop this inmate, I was being physically attacked for what seemed about maybe five minutes until the other officer came and stopped it afterward officer Goree came back to F-pod and was laughing with the inmates in cell #7 about the incident after the brutally attack it cause me to suffer from sever headaches as well as constant blurred vision so I filled a medical form to the nurse Ms Dorothy Stating on the night of Tuesday 8/18/09 I was brutally attacked by another inmate at which time I was struck in the head as well as the temple area Numerous Time's since This happed I've been having very Sever headaches as well as constant blurred vision but it wasn't took into consideration until Saturday night when the officer came around with the medication cart to pass out daily med's when they open my cell door I was lying on the floor in pain unable to move so the paramedic's were called when they arrived I told them about the conditions I was took to Lee county North mississippi hospital to be examine

there were know fractures found just sever pain
and constant blurred vision reports are at the
Hospital and Lee County adult jail. Charges
were brought against Casey Smith in Lee
County Justice Court by the honorable Judge
Ricky Thomas for Simple Assault. reports
are at the Lee County Adult Jail and Lee County
Justice Court.

Tony Carleton Commissioner
Lee County Adult Jail
510 North Commerce St
Tupelo MS, 38804

IN THE CIRCUIT COURT, LEE CO. MISSISSIPPI.

State of Mississippi

Plaintiff

VS

Samuel Ingram

Defendant

Petition For a Fast and Speedy Trial

Comes now the defendant Samuel Ingram acting as prose
to request of this honorable court to consider and grant
said petition that would be favorable to both the court
and to the defendant without even waiving Jurisdiction
to this honorable court at anytime and only appearing
in said court to defend my liberty in hopes of proceeding
from this situation so i may be able to return to my
responsibility in life hereby humble petition said court
for a fast and speedy trial and that I show and cite
the following to show i wit *Dresser v. State* 207
So 2d 289 (Ms. 2001) in that i would like to show
a willingness to waive extradition in a speedy trial that
is guaranteed to myself by 6th Constitution Amendment
6. @ *Smith v. Hooper* 363 U.S. 374, 383, 384

2. Criminal Key law # 577.8 (2)

the "constitutional speedy trial clock
begins to run from the date of arrest
U.S.C.A Const. Amend 6

Criminal Key law # 577.5 (1)

A delay of eight months or longer is
presumptively prejudicial for speed trial
proposes USCA const. Amend 6

3. Criminal Key law # 518)

defendant claiming that he was denied due
process in not being brought to trial
within 272 days of arraignment

Statutory Speedy trial violations are measured
from the date of arraignment. Miss. Code Ann
§ 99-17-1 (Rev 2006)

Supreme Ct. 575, 21 LED 2d 607 (1991) that once a defendant demands a hearing in another jurisdiction, that state has a constitutional duty to make a diligent and good faith effort to bring prisoner for trial.

(3) Jones v. State, 250 MS 2d 6, 164, So 3d 799

I sincerely and humbly pray that my petition will be filed and granted with expedience and without prejudice to both benefit the public and defendant.

A copy of this petition was sent also to the Clerk and District Attorney for proper filing.

Respectfully,

Samuel Ingram

Type MS 38804

juror and Subscribed this the July 24, 2009
day for , 2009 given under my bond
and Seal.



Lee County Adult Jail

Samuel L ngram

510 North Commerce St

TUPELO, MS 38804

10 PM
SEP
2 29

USA 44

USA 44

SEABISCUIT

SEABISCUIT

DELIVER

PM

SEP 4
2009

RECEIVED

SEP 22 2009

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

LEE COUNTY INMATE MAIL
SHERIFF'S DEPARTMENT
TUPELO, MS

Pro Se Law Clerk U.S. District
Post office Box 704
Aberdeen, Mississippi 39